

**AUSTIN CITY COUNCIL
MINUTES****REGULAR MEETING
THURSDAY, FEBRUARY 28, 2008****Invocation:**

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, February 28, 2008 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Wynn called the Council Meeting to order at 10:15 a.m.

CONSENT AGENDA

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member McCracken's motion, Mayor Pro Tem Dunkerley's second on a 7-0 vote.

1. Approval of the Austin City Council minutes from the February 14, 2008 meeting.
The minutes from the meeting of February 14, 2008 were approved.
2. Approve an ordinance amending City Code sections 6-1-51 and 6-1-52 relating to heavy-duty vehicle idling to comport with recently enacted state law changes. Recommended by the Environmental Board.
Ordinance No. 20080228-002 was approved.
3. Authorize the negotiation and execution by the Mayor of a Memorandum of Agreement between the City of Austin and the Texas Commission on Environmental Quality for the implementation of heavy-duty vehicle idling limitation rules. Recommended by the Environmental Board.
The motion authorizing the negotiation and execution by the Mayor of a memorandum of agreement between the City of Austin and the Texas Commission on Environmental Quality was approved.
4. Approve the issuance of a Letter of Intent for a rebate in the amount of \$99,792 to ALORI PROPERTIES - 12001 BURNET, LTD, for the installation of a solar photovoltaic system at their facility located at 12001 Burnet Road, Austin, Texas. Funding is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy in the Conservation Rebates and Incentives Fund. Recommended by the Resource Management Commission.
The motion approving the issuance of a letter of intent for a rebate to Alori Properties – 12001 Burnet, Ltd was approved.
5. Approve the issuance of a Letter of Intent for a rebate in the amount of \$60,480 to ALORI PROPERTIES - FIVE OAKS for the installation of a solar photovoltaic system at their facility at 13000 IH-35, Austin,

Texas. Funding is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy in the Conservation Rebates and Incentives Fund. Recommended by the Resource Management Commission.
The motion approving the issuance of a letter of intent for a rebate to Alori Properties – Five Oaks was approved.

6. Approve the issuance of a Letter of Intent for a rebate in the amount of \$100,000 to ALORI PROPERTIES - LEGEND OAKS #2, for the installation of a solar photovoltaic system at their facility located at 6001 W. William Cannon, Austin, TX. Funding is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy in the Conservation Rebates and Incentives Fund. Recommended by the Resource Management Commission.
The motion approving the issuance of a letter of intent for a rebate to Alori Properties – Legend Oaks #2 was approved.
7. Approve the issuance of a Letter of Intent for a rebate in the amount of \$75,600 to ALORI PROPERTIES - SILVERCREEK, W. PARMER for the installation of a solar photovoltaic system at their facility located at 4005 W. Parmer Lane, Austin, Texas. Funding is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy in the Conservation Rebates and Incentives Fund. Recommended by the Resource Management Commission.
The motion approving the issuance of a letter of intent for a rebate to Alori Properties – Silvercreek, W. Parmer was approved.
8. Authorize negotiation and execution of two agreements to obtain lease options on tracts of land in West Texas to serve as potential sites for wind power generation units, and agreements for related engineering and feasibility studies, in a total amount not to exceed \$120,000. Funding is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Recommended by the Electric Utility Commission.
The motion authorizing the negotiation and execution of two agreements to obtain lease options was approved.
9. Authorize negotiation and execution of a 12-month lease with Perry Lorenz for ground space at 315 Sabine St., with four optional 12-month extensions, at an annual rental amount not to exceed \$166,939.96, ratify payments made under a previous lease in the amount of \$152,243.87, and authorize payment to Mr. Lorenz of \$210,424.02 in hold-over rental charges accrued to date, for a total authorized amount not to exceed \$1,197,367.69. Funding in the amount of \$295,050.66 is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Funding for the remainder of the first and additional option terms is contingent upon available funding in future budgets. Recommended by the Electric Utility Commission.
The motion authorizing the negotiation and execution of a lease with Perry Lorenz was approved.
10. Approve an ordinance repealing Parts 2 and 7 of Ordinance No. 20080214-003, which ordered a charter amendment election for May 10, 2008.
Ordinance No. 20080228-010 was approved.
11. Approve an ordinance changing the name of Anderson Ravine Drive to Descanso Circle. The application fee of \$415 has been paid. There will be no processing fees for changing street signage for this street. Petitioners have been advised there are no signage replacement costs for this street name change.
Ordinance No. 2008022-011 was approved.
12. Approve an ordinance changing the name of Hidden Corral Circle to El Molino Circle. The application fee of \$415 has been paid. There will be no processing fees for changing street signage for this street. Petitioners have been advised there are no signage replacement costs for this street name change.
Ordinance No. 20080228-012 was approved.

13. Approve an ordinance changing the name of Community Center Drive to Paseo Nuevo Circle. The application fee of \$415 has been paid. The processing fee of \$250 has been determined, for replacement of the street sign at the corner of Community Center Drive and Pearce Lane. Petitioners have been advised of the street sign replacement cost, and that they are responsible for payment.
Ordinance No. 20080228-013 was approved.
 14. Approve appointment of PHILIP P. HUANG, M.D., M.P.H. as Health Authority and designation of LINDA WILLIAMS DOOLEY, M.D., EDWARD MACLEOD RACHT, M.D., and BIRCH DUKE KIMBROUGH, M.D., each individually, as an Alternate Health Authority for Austin/Travis County Health and Human Services Department effective April 7, 2008. Funding is available in the Fiscal Year 2007-2008 Operating budget of the Health and Human Services Department. Recommended by the Public Health and Human Services Subcommittee.
The motion approving the appointment of Philip P. Huang, M.D., M.P.H., as Health Authority and designating Linda Williams Dooley, M.D., Edward MacLeod Racht, M.D., and Birch Duke Kimbrough, M.D., each individually as an alternate Health Authority for Austin/Travis County Health and Human Services Department was approved.
- Item 15 was pulled for discussion.**
16. Approve negotiation and execution of an amendment to the professional services agreement with ROMA Design Group, San Francisco, CA, to provide additional transit planning services outside the original scope of the Downtown Plan, in an amount not to exceed \$250,000. Funding is available in the Fiscal Year 2006-2007 Capital Budget of the Neighborhood Planning and Zoning Department.
The motion approving the negotiation and execution of an amendment to the professional services agreement with ROMA Design Group was approved.
 17. Approve second/third readings of an ordinance to annex the Grand Avenue Parkway annexation area for full purposes (approximately 556 acres in Travis County at the intersection of IH 35 North and Grand Avenue Parkway) and waive zoning application fees for property within the annexed area for a period of one year from the effective date of annexation. Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services.
The item was withdrawn.
 18. Approve second/third readings of an ordinance adopting the Coshena III and IV Annexation and Development Agreement, concerning annexation and development of the Coshena Tracts (approximately 10 acres in Travis County west of the intersection of IH 35 North and Grand Avenue Parkway), providing for a 10 year delay of annexation. Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services.
This item was withdrawn.
 19. Approve an ordinance authorizing the acceptance of grant funds in the amount of \$28,963 from the Downtown Austin Alliance; and amending the Fiscal Year 2007-2008 Police Department Operating Budget Special Revenue Fund of Ordinance No. 20070910-003 to appropriate \$28,963 in funding for a total grant amount of \$428,963 for the Downtown Ranger Program, and to add one full-time equivalent position for a total of nine (9) authorized full-time equivalent grant positions for the Downtown Ranger Program. Funding is available from the Downtown Austin Alliance for this additional full-time equivalent position.
Ordinance No. 20080228-019 was approved.

20. Approve a resolution authorizing the fee simple acquisition of Lot 20, Block K, Yarrabee Bend Section 3, an addition in Travis County, Texas, according to the map or plat thereof recorded in Volume 75, Page 358, of the Plat Records of Travis County, Texas, located at 7216 Firefly Drive, Austin, Texas from Dora M. Griffin for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$154,000 for the land and improvements and \$31,000 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$195,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.
The item was withdrawn.
21. Approve a resolution authorizing the fee simple acquisition of Lot 13, Block K, Yarrabee Bend Section 3, an addition in Travis County, Texas, according to the map or plat thereof recorded in Volume 75, Page 358, of the Plat Records of Travis County, Texas, located at 7230 Firefly Drive, Austin, Texas from Jose Navarro for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$114,000 for the land and improvements and \$25,000 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$149,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.
Resolution No. 20080228-021 was approved.
22. Approve a resolution authorizing the fee simple acquisition of Lot 22, Block K, Yarrabee Bend Section 3, an addition in Travis County, Texas, according to the map or plat thereof recorded in Volume 75, Page 358, of the Plat Records of Travis County, Texas, located at 7212 Firefly Drive, Austin, Texas from Teresa Sanchez for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$127,000 for the land and improvements and \$32,500 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total amount not to exceed \$169,500. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.
The item was withdrawn.
23. Approve the adoption of written definitions and criteria for accurately determining the safety record of a construction contract bidder in order to determine the responsibility of the bidder in accordance with the requirements of Sections 252.0435 and 271.0275 of the Texas Local Government Code.
The motion approving the adoption of written definitions and criteria was approved.
- Item 24 was pulled for discussion.**
25. Approve the negotiation and execution of a 6-month lease renewal with an early termination option and the possibility of future renewals for 6,835 square feet of retail space for the Book Sales Program of the Library Department, located at 2139 West Anderson Lane, Suites 2137-A and 2117, from N.V. METRO IV Ltd., Austin, Texas, in an amount not to exceed \$68,350 for the initial lease renewal. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Library Department.
The motion approving the negotiation and execution of a lease renewal from N.V. Metro IV Ltd. was approved.
26. Authorize the selection process to be used for Design Team for the New Central Library Project.
This item was postponed to March 20, 2008.

Items 27 and 28 were pulled for discussion.

29. Approve an ordinance amending Section 14-11-46 of the City Code to extend insurance and fee waivers for subterranean tunnels to include water and storm water conveyance facilities. The waivers apply to the Waller Creek Tunnel project and to future tunnel projects.
Ordinance No. 20080228-029 was approved.
30. Authorize the City Manager to negotiate and execute an Interlocal Agreement with the Federal Highway Administration for the Bicycle Commuting Project and approve the acceptance of an amended version of a Transportation Equity Act for the 21st Century (TEA-21) grant in the amount of \$371,740 for the Austin Bicycle Commuting Project. Funds appropriated in the Fiscal Year 2003-2004 Capital Budget of the Transportation, Planning and Sustainability Department are now within the Bicycle and Pedestrian Program of the Public Works Department. Recommended by the Urban Transportation Commission.
The motion authorizing the City Manager to negotiate and execute an interlocal agreement with the Federal Highway Administration was approved.
31. Authorize execution of a construction contract with AUSTIN BRIDGE AND ROAD, LP of Austin, Texas for Austin Bergstrom International Airport East Runway System Perimeter Road Construction, in the amount of \$2,406,505 plus a \$120,325 contingency, for a total contract amount not to exceed \$2,526,830. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Aviation Department. Lower of two bids received. This contract will be awarded in compliance with the requirements of 49 CFR Part 26 (Disadvantaged Business Enterprise Program) and Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goal. 14.65% DBE subcontractor participation. Recommended by the Austin Airport Advisory Commission.
The motion authorizing the execution of a construction contract with Austin Bridge and Road, LP was approved.
32. Authorize negotiation and execution of a professional services agreement with THE CONSULTING ENGINEERS GROUP, INC. San Antonio, Texas for engineering services required for repairs to the Austin-Bergstrom International Airport Parking Garage in a total contract amount not to exceed \$600,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Aviation Department. Single source acquisition. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Airport Advisory Commission.
The motion authorizing the negotiation and execution of a professional services agreement with the Consulting Engineers Group, Inc. was approved.
33. Authorize negotiation and execution of a professional services agreement with THC, Inc., Duluth, GA for noise support services to implement the Austin-Bergstrom International Airport Noise Mitigation Program, for an initial term of five years, with two twelve month extension options in an amount not to exceed \$1,000,000 per each extension option, for a total contract amount not to exceed \$7,000,000. Funding in the amount of \$5,000,000 is available in the Fiscal Year 2007-2008 Capital Budget of the Department of Aviation and available Federal Aviation (FAA) Grants. Additional funding in the amount of \$2,000,000 will be budgeted in future Department of Aviation funds and available FAA grants. Best qualification statement of five received. This contract will be awarded in compliance with the requirements of 49 CFR Part 26 (Disadvantaged Business Enterprise Program) and Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goal of 5.00% DBE subcontractor participation. Recommended by the Airport Advisory Commission.
The motion authorizing the negotiation and execution of a professional services agreement with THC, Inc. was approved.

34. Authorize negotiation and execution of a professional services agreement with DMJM AVIATION, Houston, TX for engineering services for the Austin-Bergstrom International Airport (ABIA) Remain Over-Night Apron, in an amount not to exceed \$4,000,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Aviation Department. Best qualification statement of eight received. This contract will be awarded in compliance with the requirements of 49 CFR Part 26 (Disadvantaged Business Enterprise Program) and Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goal with 9.21% DBE subconsultant participation. Recommended by the Airport Advisory Commission.
The motion authorizing the negotiation and execution of a professional services agreement with DMJM Aviation was approved.
35. Authorize negotiation and execution of a professional services agreement with the following two firms: TERRACON CONSULTANTS, INC., Austin, TX and RABA-KISTER-BRYTEST CONSULTANTS, INC., Austin, TX for the Asbestos and Lead Based Paint Consultant Services Rotation List 2008 - 2011, for a period of approximately three years or until financial authorization is expended, each agreement in an amount not to exceed \$175,000, with the total amount of the two agreements not to exceed \$350,000. Funding is available in the Fiscal Year 2007-2008 Capital Budgets of the various departments for which services are needed. Best qualification statement of four received. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 3.58% MBE and 3.42% WBE subconsultant participation.
The motion authorizing the negotiation and execution of a professional services agreement with the following two firms: Terracon Consultants, Inc. and Raba-Kister-Brytest Consultants, Inc. was approved.
36. Authorize negotiation and execution of a professional services agreement with WESTON SOLUTIONS, INC., Austin, TX for planning and preliminary engineering services for the Holly Street Power Plant Decommissioning Project in an amount not to exceed \$600,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Energy Department. Best qualification statement of six statements received. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals. 16.5% MBE and 14.2% WBE subcontractor participation. Recommended by the Electric Utility Commission.
The motion authorizing the negotiation and execution of a professional services agreement with Weston Solutions, Inc. was approved.
37. Approve an ordinance amending Section 12-4-64(D) of the City Code to establish a maximum speed limit of 25 miles per hour on certain streets bounded by East 11th Street/Rosewood Avenue to the south, East Martin Luther King, Jr. Boulevard to the north, Miriam Avenue to the east and I. H. 35 Frontage Road Northbound to the west. Funding in the amount of \$7800 is available in the Fiscal Year 2007-2008 Operating Budget of the Public Works Department for the installation of necessary signs.
Ordinance No. 20080228-037 was approved.
38. Approve an ordinance amending Section 12-4-64(D) of the City Code adding a portion of Kinney Oaks Court to the list of streets having a maximum speed of 25 miles per hour at all times. Funding in the amount of \$400 is available in the Fiscal Year 2007-2008 Operating Budget of the Public Works Department for the installation of necessary signs.
Ordinance No. 20080228-038 was approved.
39. Approve an ordinance amending Section 12-4-64(D) of the City Code adding La Crosse Avenue from Seneca Falls Drive to Spruce Canyon Drive to the list of streets having a maximum speed limit of 40

miles per hour. Funding in the amount of \$600 is available in the Fiscal Year 2007-2008 Operating Budget of the Public Works Department for the installation of necessary signs.

Ordinance No. 20080228-039 was approved.

40. Authorize award and execution of Amendment No. 1 to the requirements service contract with CRESCENT CONTRACTORS, Austin, TX for the distribution of door hanging advertisements of Austin Energy Power Saver Programs, to increase the current contract and remaining options in an estimated amount not to exceed \$26,580 for the current period and an estimated \$26,580 for each of the three remaining extension options, for a revised total estimated contract amount not to exceed \$300,000. Funding is available in the Fiscal Year 2007-2008 Operating Budget for Austin Energy. Funding for the extension options is contingent upon available funding in future budgets. Contract Amendment. This contract was awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of amendment number 1 to the requirements service contract with Crescent Contractors was approved.

41. Authorize award and execution of a contract with FUJI TRADING (America) COMPANY, INC., Baltimore, MD, for the purchase of valve repair parts for gas turbine generators at the Sand Hill Energy Center in an amount not to exceed \$125,449.88. Funding is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Sole bid received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a contract with Fuji Trading (America) Company, Inc. was approved.

42. Authorize award, negotiation, and execution of a 12-month requirements service contract with VELOCITY CREDIT UNION, Austin, TX for the underwriting of residential energy improvement loans, in an estimated amount not to exceed \$197,130, with three 12-month extension options in an estimated amount not to exceed \$197,130 per extension option, for a total estimated contract amount not to exceed \$788,520. Funding in the amount of \$114,993 is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Funding for the remaining five months of the original contract period and extension options is contingent upon available funding in future budgets. Best evaluated proposal of two proposals received. This contract was awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Resource Management Commission.

The motion authorizing the award, negotiation and execution of a requirements service contract with Velocity Credit Union was approved.

43. Authorize award and execution of an interlocal agreement with DALLAS COUNTY acting through the SOUTHWESTERN INSTITUTE OF FORENSIC SCIENCES AT DALLAS, Dallas, TX, for toxicological, environmental, and physical evidence analysis in an estimated annual amount of \$60,000. Funding in the amount of \$35,000 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Police Department. Funding for the remaining five months of the original contract period and extension options is contingent upon available funding in future budgets. Interlocal Agreement. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority -Owned and Women-Owned Business Enterprise Procurement Program). This contract is an Interlocal Agreement; therefore, it is exempted under Chapter 791 of the Texas Government Code. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of an interlocal agreement with Dallas County acting through the Southwestern Institute of Forensic Sciences at Dallas was approved.

44. Authorize award and execution of a contract with CARTER & BURGESS, INC., Fort Worth, TX, for safety management system development services in an estimated amount not to exceed \$315,000. Funding is available in the 2007-2008 Operating Budget of the Aviation Department. \$200,000 is provided by the Federal Aviation Administration Safety Management System Grant. Best evaluated proposal of two proposals received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No Subcontracting opportunities were identified; therefore, no goals were established for this solicitation. Recommended by the Austin Airport Advisory Commission.
The motion authorizing the award and execution of a contract with Carter and Burgess, Inc. was approved.
45. Authorize award and execution of a 24-month requirements service contract with HOLT DOOR SYSTEMS, INC., Austin, TX for the maintenance, repair and replacement of overhead garage doors in an estimated amount not to exceed \$800,000, with two 12-month extension options in an estimated amount not to exceed \$400,000 per extension option, for a total estimated contract amount not to exceed \$1,600,000. Funding in the amount of \$233,333 is available in the Fiscal Year 2007-2008 Operating Budgets of various City departments. Funding for the remaining 17 months of the original contract period and extension options is contingent upon available funding in future budgets. Sole bid received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the award and execution of a 24-month requirements service contract with Holt Door Systems, Inc. was approved.
46. Authorize award and execution of a 12-month Interlocal Agreement with the UNIVERSITY OF TEXAS AT AUSTIN GRADUATE SCHOOL OF HEALTH AND KINESIOLOGY, Austin, TX, for a remedial strength training program for the Austin Fire Department Training Academy in an estimated amount not to exceed \$27,961, with five 12-month extension options in an estimated amount not to exceed \$27,961 per extension option, for a total estimated contract amount not to exceed \$167,766. Funding in the amount of \$13,981 is available in the Fiscal Year 2007-2008 Operating Budgets of the Austin Fire Department. Funding for the remaining six months of the original contract period and extension options is contingent upon available funding in future budgets. Interlocal Agreement. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority -Owned and Women-Owned Business Enterprise Procurement Program). This contract is an Interlocal Agreement; therefore, it is exempted under Chapter 791 of the Texas Government Code. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the award and execution of an interlocal agreement with the University of Texas at Austin Graduate School of Health and Kinesiology was approved.
47. Authorize award and execution of a 36-month requirements service contract with CAP TEX ADI, Austin, TX for grit trap-septic pumping, hauling, and disposal services in an estimated amount not to exceed \$212,700, with three 12-month extension options in an estimated amount not to exceed \$70,900 per extension option, for a total estimated contract amount not to exceed \$425,400. Funding in the amount of \$41,358 is available in the Fiscal Year 2007-2008 Operating Budget of the Solid Waste Services Department. Funding for the remaining 29 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of three bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned

Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a requirements service contract with Cap Tex ADI was approved.

48. Authorize award and execution of a contract through the TEXAS MULTIPLE AWARD SCHEDULE (TXMAS) with ALAMO IRON WORKS, San Antonio, TX, for temporary traffic control devices for the Watershed Protection & Development Review Department in an amount not to exceed \$79,110. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection Department and various other departments for which services are needed. Cooperative Purchase. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is an Cooperative Contract; therefore, it is exempted under Chapter 791 of the Texas Government Code. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a contract through the Texas Multiple Award Schedule (TXMAS) with Alamo Iron Works was approved.

49. Authorize award, negotiation, and execution of Amendment No. 2 to a contract with VIEUX & ASSOCIATES, INC., Norman, OK, for radar rainfall prediction services to increase the contract in an amount not to exceed \$27,500, and increase the remaining two extension options in an amount not to exceed \$9,600 per extension option, for a revised total contract amount not to exceed \$329,537. Funding in the amount of \$33,100 is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection & Development Review Department. Funding for the remaining five months of the first extension option and the second extension option is contingent upon available funding in future budgets. Contract Amendment. This contract was awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this contract.

The motion authorizing the award, negotiation and execution of amendment number 2 to a contract with Vieux and Associates, Inc. was approved.

50. Authorize negotiation and execution of a contract with the Austin Community Foundation (ACF) to manage the Urban Forest Replenishment Fund according to the requirements of the City's Urban Forest Grant Program (UFGP) guidelines in the current amount of \$350,000. Funding is available in the Fiscal Year 2007-2008 Urban Forest Replenishment Fund. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is exempted under Chapter 791 of the Texas Local Government Code and no goals were established for this contract. Recommended by the Urban Forestry Board.

The motion authorizing the negotiation and execution of a contract with the Austin Community Foundation (ACF) was approved.

51. Authorize negotiation and execution of an Interlocal Agreement with the University of Texas at Austin (UT) for the time and expertise of UT engineers and staff to conduct research, data analysis, testing, and model development for stormwater filtration systems in a cooperative project with City of Austin staff for an amount not to exceed \$249,770. The Interlocal Agreement will have a 12 month term, with annual renewals for up to 36 months. Funding is available in the Fiscal Year 2007-2008 Capital budget of the Watershed Protection and Development Review Department, Water Quality Protection projects. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is an interlocal agreement; therefore, it is exempted under Chapter 252.022 of the Texas Local Government Code and no goals were established for this solicitation.

This item was withdrawn.

52. Authorize negotiation and execution of an Interlocal Agreement between the City of Austin and the Lower Colorado River Authority for the coordination of preconstruction engineering and design activities for the Onion Creek Watershed in an amount not to exceed \$241,250. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is an interlocal agreement; therefore, it is exempted under Chapter 252.022 of the Texas Local Government Code and no goals were established for this solicitation.

This item was withdrawn.

53. Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.

The following appointments were made:

Board

Nominated By:

Asian American Resource Center Advisory Board

Walter Clark

Council Member Cole

Live Music Task Force

Brandon Aghamalian

Charles Attal

Bobby Garza

Jill George

Alex Gonzales

Saundra Kirk

Harold McMillan

James Moody

Paul Oveisi

Don Pitts

Adrian Quesada

Rose Reyes

David Sullivan

Scott Trainer

Steve Wertheimer

Mayor Wynn

Council Member Martinez

Council Member Martinez

Council Member Cole

Council Member Martinez

Council Member Cole

Council Member Cole

Mayor Wynn

Mayor Wynn

Mayor Wynn

Council Member Martinez

Mayor Wynn

Council Member Cole

Council Member Cole

Council Member Martinez

Parks and Recreation Board

Jeff Francell

Mayor Wynn

Planning Commission

Clint Small

Mayor Wynn

54. Approve a resolution authorizing Mayor Will Wynn to sign, on behalf of the City, the 8 hour Ozone Flex Program with the Texas Commission on Environmental Quality, the U. S. Environmental Protection Agency, and other entities in the five county Austin/Round Rock Metropolitan Statistical Area (MSA) to improve air quality in the Central Texas Region. (Mayor Will Wynn Mayor Pro Tem Betty Dunkerley)
Resolution No. 20080228-054 was approved.

55. Approve a resolution identifying projects for the Webberville tract, directing the City Manager to complete the Environmental Site Assessment for the Webberville tract, based on the identified projects,

and stating the Council's intent to move forward with the identified projects. (Mayor Pro Tem Betty Dunkerley Mayor Will Wynn Council Member Lee Leffingwell)

This item was postponed to March 20, 2008.

56. Approve a resolution directing the City Manager to implement a pilot program for LED (Light Emitting Diode) countdown crosswalk signals in conjunction with the Cesar Chavez coversion project. (Council Member Jennifer Kim Mayor Will Wynn Council Member Brewster McCracken)
Resolution No. 20080228-056 was approved.
57. Approve an ordinance amending Sections 3-1-1 and 3-2-3 of the City Code relating to commerce in live animals, and amending the 2007-08 fee schedule in Ordinance No. 20070910-008 to add an animal processing fee. (Council Member Jennifer Kim Council Member Mike Martinez)
Ordinance No. 20080228-057 was approved.
58. Approve a resolution directing the City Manager to process a code amendment to clarify and modify Section 25-2-1605 of the City Code to create a neighborhood planning tool to utilize the affordable housing incentives for single-family development. (Council Member Jennifer Kim Council Member Lee Leffingwell)
Resolution No. 20080228-058 was approved.
59. Approve a resolution implementing the recommendations for the Waller Creek Tunnel Project from the Waller Creek Citizens Advisory Committee relating to the design and engineering of the flood control mechanism and establishing a base flow rate through the improved creek. (Council Member Sheryl Cole Mayor Pro Tem Betty Dunkerley Council Member Brewster McCracken)
Resolution No. 20080228-059 was approved.

Item 60 was pulled to be heard after 6:00 p.m.

Item 61 was pulled for discussion.

62. Approve reimbursement of park rental fees for the Central Texas Bengali Association Community Event that was held on February 23, 2008, at the McBeth Recreation Center. (Council Member Jennifer Kim Mayor Pro Tem Betty Dunkerley Council Member Lee Leffingwell)
The motion approving the reimbursement of park rental fees for the Central Texas Bengali Association Community Event was approved.
63. Approve waiver of certain fees and requirements and authorize payment of certain costs for Celebrate Texas Incorporated's Texas Independence Day 5K Run and Parade to be held on March 1, 2008. (Mayor Will Wynn Council Member Lee Leffingwell Council Member Jennifer Kim)
The motion authorizing the waiver of certain fees and requirements and authorizing the payment of certain costs for Celebrate Texas Incorporated's Texas Independence Day 5K run and parade was approved.
64. Set a public hearing to consider an ordinance amending Chapter 25-2 of the City Code to add Article 16 relating to neighborhood plan amendments; and repealing Ordinance Nos. 20030320-23 and 20030605-53. (Suggested date and time: March 6, 2008, 6:00 p.m., Austin City Hall, 301 W. Second Street, Austin, TX).
The public hearing was set for March 6, 2008 at 6:00 p.m., Austin City Hall at 301 W. Second Street, Austin, TX.

65. Set a public hearing to consider the reasonableness and propriety of a modification in gas rates proposed by the Settlement Agreement between Atmos Energy Corporation, Mid-Tex Division (Atmos) and the Atmos Texas Municipalities in lieu of the rates proposed by Atmos' Statement of Intent filed on September 20, 2007 and approve a resolution ordering Atmos to show cause regarding the reasonableness and propriety of its proposed rate modification. (Suggested date and time: March 6, 2008, 6:00 p.m., Austin City Hall, 301 W. Second Street, Austin, TX).
The public hearing was set for March 6, 2008 at 6:00 p.m., Austin City Hall at 301 W. Second Street, Austin, TX. and Resolution No. 20080228-065 was approved.
66. Set a public hearing to consider an ordinance amending Section 25-1-23(B) of the City Code to exclude a portion of the area above a subsurface structure from land use impervious cover calculations. (Suggested date and time: March 6 2008, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.) The Planning Commission public hearing will be conducted on February 26, 2008.
The public hearing was set for March 6, 2008 at 6:00 p.m., Austin City Hall at 301 W. Second Street, Austin, TX.
77. Approve a resolution authorizing the City Manager to take the necessary action to comply with the terms of the executed purchase and sale agreements to purchase property in western Travis County as potential sites for Austin Water Utility facilities.
Resolution No. 20080228-077 was approved.

Item 67 was a briefing item set for 10:30 a.m.

Items 68 through 75 were Executive Session items.

Item 76 was an action on Executive Session items.

Items 78 through 80 were bond sale items set for 2:00 p.m.

Item 81 was a briefing item set for 2:00 p.m.

Items 82 through 111 were zoning items set for 4:00 p.m.

Items 112 through 118 were public hearing items set for 6:00 p.m.

DISCUSSION ITEMS

24. Approve the negotiation and execution of a 24-month lease renewal with the possibility of additional future renewals for 125 parking spaces for employees of the Faulk Central Library and the Austin History Center of the Library Department, located at 800 Lavaca, from TRAVIS REALTY CORP., Austin, TX, in an amount not to exceed \$337,500 for the initial lease term. Funding for the lease term period is contingent upon available funding in future budgets.
The motion approving the negotiation and execution of a lease renewal from Travis Realty Corp. was approved on Council Member McCracken's motion, Mayor Pro Tem Dunkerley's second on a 7-0 vote.
28. Authorize the use of the Construction Manager at Risk method of contracting for facility construction for the Single-Stream Recycling Material Recovery Facility Project as permitted by Subchapter H of Chapter 271 of the Texas Local Government Code. Recommended by the MBE/WBE and Small Business Council Subcommittee and by the MBE/WBE and Small Business Advisory Committee.

The motion authorizing the use of the construction manager at risk method of contracting was approved on Council Member Leffingwell's motion, Mayor Pro Tem Dunkerley's second on a 7-0 vote.

Briefing

67. Briefing and recommendations from the Residential Development Regulation Task Force on the evaluation and implementation of the Residential Design & Compatibility Standards (the "McMansion Ordinance").

The presentation was made by Jessica King, Principle Planner for Watershed Protection and Development Review, and Laura Morrison, Residential Design and Compatibility Standards Task Force Co Chair.

CITIZEN COMMUNICATION: GENERAL

Paul Robbins - City Issues

Gus Pena - (1) City Issues (2) Lets keep Austin Affordable not weird (3) We need more Police Officer's on the streets (4) Request more overtime funding for the Department of Justice to put more on the streets to fight crime (5) Vote in the March Primary your vote will count

Stuart Montgomery - Homeless & Solutions. He was not present when his name was called.

Terry Moore - Possible future purchase of nuclear power by the city, and its impact on State Water Resources

Betty Boyd - The Nuclear Plant

Pat Johnson - To be announced

Jennifer L. Gale - A 2.4 Billion Dollar Benefit for the University of Texas Medical Branch - Wasn't That My Idea! I Have The Details

Susana Almanza - Respect East Austin Govalle/ Johnston Terrace Neighborhood Plan. We want Affordable Housing for East Austin

Robert Thomas - Labor & Industrial relations at the Rosewood Park Recreation Center

Mayor Wynn recessed the Council Meeting to go into Executive Session at 12:55 p.m.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

68. Generation resource planning issues (Public Power Utility Competitive Matters - Section 551.086). This item was withdrawn.

69. Discuss legal issues related to Stop Domain Subsidies proposed charter amendment and its effect on City projects and economic development agreements (Private Consultation with Attorney - Section 551.071).
The item was withdrawn.
70. Discuss legal issues related to the transition of the Community Care Services clinic system to the Travis County Healthcare District (Private consultation with Attorney - Section 551.071).
71. Discuss legal issues relating to the labor negotiations for Fire, Police, EMS, and PSEM departments. (Private consultation with Attorney Section 551.071)
72. Discuss legal issues relating to the statutory framework for management of growth in the State Highway 130 corridor (Private Consultation with Attorney - Section 551.071).
73. Discuss purchase and value, including non monetary attributes, of real property in western Travis County as a potential site for Austin Water Utility facilities (Real Property - Section 551.072).
The item was withdrawn.
74. Discuss real estate development options related to the sale of the Green Water Treatment Plant and Austin Energy Control Center sites (Real Property - Section 551.072).
This item was withdrawn.
75. Discuss legal issues relating to the development of the Green Water Treatment Plant and Austin Energy Control Center sites (Private Consultation with Attorney - Section 551.071).

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 4:15 p.m.

BOND SALES

79. Approve an ordinance authorizing the issuance of City of Austin, Texas, Water and Wastewater System Variable Rate Revenue Refunding Bonds, Series 2008 in an amount not to exceed \$175,000,000; providing for payments secured by a lien on and pledge of the net revenues of the City's Water and Wastewater System; authorizing and approving all related documents; and providing for an effective date. No fiscal impact during fiscal year 2007-2008. An amount of \$5,250,000 estimated debt service requirement and any annual administrative fees will be included in the fiscal year 2008-2009 proposed budget of the Utility Revenue Bond Redemption Fund.
This item was postponed to March 6, 2008 on Council Member Leffingwell's motion, Council Member Cole's second on a 7-0 vote.
80. Approve an ordinance authorizing an interest rate management agreement with Goldman Sachs, New York, New York, related to the issuance of City of Austin, Texas, Water and Wastewater System Variable Rate Revenue Refunding Bonds, Series 2008, in an amount not to exceed \$175,000,000; providing for payments secured by a lien on and pledge of the net revenues of the City's Water and Wastewater System; establishing funds and accounts related to payments under the agreement; authorizing and approving all related documents; and providing for an effective date. No fiscal impact during fiscal year 2007-2008. An amount of \$2,513,606 estimated debt service requirement and any annual administrative fees will be included in the 2008-2009 proposed budget of the Utility Revenue Bond Redemption Fund.
This item was postponed to March 6, 2008 on Council Member Leffingwell's motion, Council Member Cole's second on a 7-0 vote.
78. Approve an ordinance authorizing the issuance of City of Austin, Texas, Electric Utility System Revenue Refunding Bonds, Taxable Series 2008, in an amount not to exceed \$50,000,000; authorizing and

approving all related documents; and providing for an effective date. There will be no debt service requirement for fiscal year 2007-2008. \$3,496,111 for the first year debt service requirement and \$400 estimated annual administration fee for the paying agent/registrar for the proposed bond sale will be included in the 2008-2009 Proposed Budget of the Utility Revenue Bond Redemption Fund.

Ordinance No. 20080228-078 for Electric Utility System Revenue Refunding Bonds, Taxable Series 2008, in the amount of \$48,800,000 was approved on Mayor Pro Tem Dunkerley's motion, Council Member Leffingwell's second on a 6-0 vote. Council Member McCracken was off the dais.

ACTION ON EXECUTIVE SESSION

76. Approve a resolution providing evaluation criteria regarding the Request for Proposals (RFP) for sale and redevelopment of the property currently occupied by the Green Water Treatment Plant and the Austin Energy Control Center.

Resolution No. 20080228-076 as presented by staff was approved on Council Member McCracken's motion, Mayor Pro Tem Dunkerley's second on a 7-0 vote.

DISCUSSION ITEM CONTINUED

15. Authorize negotiation and execution of a legal services agreement with Denton, Navarro, Rocha & Bernal, L.L.P., as lead negotiator and legal co-counsel for labor negotiations for the Fire, Police, Emergency Management Services and Public Safety Emergency Management Departments in an amount not to exceed \$230,000. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Law Department.

The motion authorizing the negotiation and execution of a legal services agreement with Denton, Navarro, Rocha and Bernal, L.L.P. was approved on Council Member Martinez' motion, Council Member Leffingwell's second on a 7-0 vote.

ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Leffingwell's motion, Council Member Martinez' second on a 7-0 vote.

82. NPA-07-0017.01 - Austin Energy & Crestview Station - Approve second/third readings of an ordinance amending Ordinance No. 041401-Z-2, the Crestview/Wooten Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) from Major Planned Development to Utilities for 7520-7530 N. Lamar Boulevard (Waller Creek Watershed). First reading approved on November 29, 2007. Vote: 6-0 (Cole-off the dais). Applicant: Austin Energy and Crestview Station LLR Land LP. Agents: Lena Lund (Austin Energy) and Alice Glasco (Crestview Station LLR Land LP). City Staff: Kathleen Fox, 974-7877.

Ordinance No. 20080228-082 to change the land use designation to utilities use on the future land use map (FLUM) was approved.

83. C14-2007-0095 - Justin Substation - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7520-7530 North Lamar Boulevard (Waller Creek Watershed) from limited industrial service-planned development area-neighborhood plan (LI-PDA-NP) combining district zoning to public-neighborhood plan (P-NP) combining district zoning. First reading approved on November 29, 2007. Vote: 6-0 (Cole-off the dais). Applicant: City of Austin, Austin Energy. Agent: Neighborhood Planning and Zoning Department. City Staff: Jorge E. Rousselin, 974-2975.

Ordinance No. 20080228-083 for public-neighborhood plan (P-NP) combining district zoning was approved.

84. C14-07-0018 - Barton Place - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1600 Barton Springs Road (Town Lake Watershed) from general commercial services (CS) district zoning to multi-family residence-highest density-conditional overlay (MF-6-CO) combining district zoning. First reading approved on May 24, 2007. Vote: 6-0 (Cole off the dais). Applicant: Susan Toomey Frost. Agent: Rick Engel. City Staff: Robert Heil, 974-2330.

Ordinance No. 20080228-084 for multi-family residence-highest density-conditional overlay (MF-6-CO) combining district zoning was approved.

85. C14-2007-0218 - 620/183 Limited Partnership - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10700-10704 Lakeline Mall Drive (Lake Creek Watershed) from community commercial-mixed use (GR-MU) combining district zoning to multi-family residence-moderate-high density (MF-4) district zoning. First reading approved on December 13, 2007. Vote: 6-0 (McCracken off the dais). Second reading approved on January 31, 2008. Vote: 7-0. Applicant: 620/183 Limited Partnership (Fred Thomas). Agent: Smith, Robertson, Elliott, Glen, Klein & Bell, LLP (David Hartman). City Staff: Sherri Sirwaitis, 974-3057.

Ordinance No. 20080228-085 for multi-family residence-moderate-high density (MF-4) district zoning was approved.

88. C14-2007-0235 - Judges' Hill Neighborhood Association (Portion of Downtown Planning Area) Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Judges' Hill Neighborhood Association (Portion of Downtown Planning Area), bounded by Martin Luther King, Jr. Boulevard on the north, West Avenue on the east, 15th Street on the south, and Shoal Creek on the west (Shoal Creek Watershed). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability and requirements for Vertical Mixed Use Building developments. First reading approved on January 31, 2008. Vote: 6-1 (Leffingwell voted Nay). Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Jorge Rousselin, 974-2975. A valid petition has been filed in opposition to this rezoning request.

This item was postponed to March 20, 2008 at the staff's request.

ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The public hearings were closed and consent items were approved on Council Member McCracken's motion, Council Member Dunkerley's second on a 7-0 vote.

89. C814-06-0202 - PIER Partners - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1703 River Hills Road (Lake Austin Watershed) from commercial-liquor sales (CS-1) district zoning and Lake Austin residence (LA) district zoning to planned unit development (PUD) district zoning. Staff Recommendation: To grant commercial recreation-conditional overlay (CR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant planned unit development (PUD) district zoning with conditions. Applicant: Pier Partners LP (Eric Moreland). Agent: Clark, Thomas & Winters, PC (John Joseph). City Staff: Jorge Rousselin, 974-2975.

This item was withdrawn by the applicant.

90. NPA-2007-0005.02 - Frontier at Montana - Conduct a public hearing and approve an ordinance amending Ordinance No. 010927-05, the Montopolis Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) from civic and single family to single family for certain properties located on Villita Avenida (Carson Creek Watershed). Staff Recommendation: To approve the single family land use designation. Planning Commission Recommendation: To grant the single family land use designation. Applicant: Austin Housing Finance Corp. Agent: Marni Pengelly. City Staff: Kathleen Fox, 974-7877.
Ordinance No. 20080228-090 to change the land use designation to single family use on the future land use map (FLUM) was approved.
91. C14-2007-0242 - Frontier at Montana - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6900-6922 Villita Avenida (even numbered side of the street) (Carson Creek Watershed) from public-neighborhood plan (P-NP) combining district zoning and family residence-neighborhood plan (SF-3-NP) combining district zoning to family residence-neighborhood plan (SF-3-NP) combining district zoning. Staff Recommendation: To grant family residence-neighborhood plan (SF-3-NP) combining district zoning. Planning Commission Recommendation: To grant family residence-neighborhood plan (SF-3-NP) combining district zoning. Applicant: Austin Housing Finance Corporation (Kelly Weiss) and American Youthworks, Inc. (Richard Halpin). Agent: Neighborhood Housing and Community Development (Regina Copic). City Staff: Joi Harden, 974-2212.
Ordinance No. 20080228-091 for family residence-neighborhood plan (SF-3-NP) combining district zoning was approved.
92. NPA-2007-0012.5 - 4701 North IH-35 - Conduct a public hearing and approve an ordinance amending Ordinance No. 020801-91, the Upper Boggy Creek Neighborhood Plan to change the land use designation on the future land use map (FLUM) from civic and single-family to mixed use for the property located at 4701 North I.H. 35 (Boggy Creek Watershed). Staff Recommendation: To approve mixed use designation. Planning Commission Recommendation: To approve mixed use designation. Applicant: Christian Center Assembly of God Church (Michael Fizzell). Agent: Mike Dallas Properties (Mike Dallas). City Staff: Mark Walters, 974-7695.
Ordinance No. 20080228-092 to change the land use designation to mixed use on the future land use map (FLUM) was approved.
93. C14-2007-0251 - 4701 North IH-35 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4701 North IH-35 SVRD NB (also known as 4705 North IH-35 SVRD NB) (Boggy Creek Watershed) from limited office-neighborhood plan (LO-NP) combining district zoning (Tract 1); and family residence-neighborhood plan (SF-3-NP) combining district zoning (Tract 2) to community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning for Tract 1; and limited office-neighborhood plan (LO-NP) combining district zoning for Tract 2. Staff Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning for Tract 1; and limited office-neighborhood plan (LO-NP) combining district zoning for Tract 2. Planning Commission Recommendation: To grant community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning for Tract 1; and limited office-neighborhood plan (LO-NP) combining district zoning for Tract 2. Applicant: Christian Center Assembly of God Church (Michael Fizzell). Agent: Mike Dallas Properties (Mike Dallas). City Staff: Joi Harden, 974-2212.
Ordinance No. 20080228-093 for community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning for Tract 1; and limited office-neighborhood plan (LO-NP) combining district zoning for Tract 2 was approved.

94. C14-2007-0200 - 2704 South 1st - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2704 South 1st Street (East Bouldin Creek Watershed) from family residence (SF-3) district zoning to neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. Staff Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. Planning Commission Recommendation: To grant neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning. Applicant and Agent: Julia Magness Schelebe. City Staff: Robert Heil, 974-2330.
Ordinance No. 20080228-094 for neighborhood commercial-mixed use-conditional overlay (LR-MU-CO) combining district zoning was approved.

AMENDMENT

Original language as approved on February 28, 2008.

95. C14-2007-0217 - MLK View - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4505 E. Martin Luther King Blvd. (Tannehill Branch and Fort Branch Watershed) from community commercial-neighborhood plan (GR-NP) combining district zoning to community commercial-mixed use-conditional overlay neighborhood plan (GR-MU-CO-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay neighborhood plan (GR-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial-mixed use-conditional overlay neighborhood plan (GR-CO-NP) combining district zoning. Applicant and Agent: Jae Park. City Staff: Robert Heil, 974-2330.
Ordinance No. 20080228-095 for community commercial-mixed use-conditional overlay neighborhood plan (GR-MU-CO-NP) combining district zoning was approved.

Amended Language As Approved on March 20, 2008

Ordinance No. 20080228-095 for community commercial-mixed use-conditional overlay neighborhood plan (GR-MU-CO-NP) combining district zoning was approved.

96. C14-2007-0092 - 21C - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 300 San Jacinto Blvd. (Town Lake/Waller Creek Watersheds) from central business district (CBD) district zoning to central business district-central urban redevelopment (CBD-CURE) combining district zoning. Staff Recommendation: To grant central business district-central urban redevelopment-conditional overlay (CBD-CURE-CO) combining district zoning with conditions. Planning Commission Recommendation: To grant central business district-central urban redevelopment-conditional overlay (CBD-CURE-CO) combining district zoning with conditions. Applicant: Brazos REI POE (Matthew Hooks). Agent: Drenner & Golden Stuart Wolff, LLP (Michele Rogerson). City Staff: Jorge E. Rousselin, 974-2975.
This item was postponed to March 20, 2008 at the applicant's request.
97. C14-2007-0268 - 1400 Newning Avenue - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1400 Newning Avenue (East Bouldin Creek Watershed) from multi-family residence-medium density-neighborhood conservation combining district-neighborhood plan (MF-3-NCCD-NP) combining district zoning to family residence-neighborhood conservation combining district-neighborhood plan (SF-3-NCCD-NP) combining district zoning. Staff Recommendation: To grant family residence-neighborhood conservation combining district-neighborhood plan (SF-3-NCCD-NP) combining district zoning. Planning Commission

Recommendation: To grant family residence-neighborhood conservation combining district-neighborhood plan (SF-3-NCCD-NP) combining district zoning. Applicant: Stacy Stoddard. Agent: John Buchanan. City Staff: Robert Levinski, 974-1384.

Ordinance No. 20080228-097 for family residence-neighborhood conservation combining district-neighborhood plan (SF-3-NCCD-NP) combining district zoning was approved.

98. C14-2007-0250 - Amarra Drive, Lot 1, Block A - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8718-8734 Southwest Parkway; 5105-5301 Barton Creek Boulevard; 5305-5325 Barton Creek Boulevard (Barton Creek Watershed - Barton Springs Zone) from development reserve (DR) district zoning to multi-family residence-limited density (MF-1) district zoning. Staff Recommendation: To grant multi-family residence-limited density-conditional overlay (MF-1-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant multi-family residence-limited density-conditional overlay (MF-1-CO) combining district zoning. Applicant: Stratus Properties Operating Co., L.P. (John Baker). Agent: Drenner & Golden Stuart Wolff, L.L.P. (Michele Rogerson). City Staff: Wendy Rhoades, 974-7719.
This item was postponed to March 6, 2008 at the applicant's request.
99. C14-06-0213 - Pleasant Valley Self Storage - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as the southeast corner of East William Cannon Drive and South Pleasant Valley Road (Onion Creek Watershed) from single-family residence-standard lot (SF-2) district zoning and neighborhood commercial (LR) district zoning to warehouse limited office (W/LO) district zoning. Staff Recommendation: To grant warehouse limited office-conditional overlay (W/LO-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant warehouse limited office-conditional overlay (W/LO-CO) combining district zoning. Applicant and Agent: Marbella Development, L.P. (Mitchell Davis Kalogridis). City Staff: Wendy Rhoades, 974-7719.
Ordinance No. 20080228-099 for warehouse limited office-conditional overlay (W/LO-CO) combining district zoning was approved.
100. C14-2007-0114 - Robinson Avenue - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3717 Robinson Avenue (Boggy Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to general office-neighborhood plan (GO-NP) combining district zoning. Staff Recommendation: To deny general office-neighborhood plan (GO-NP) combining district zoning. Planning Commission Recommendation: To deny general office-neighborhood plan (GO-NP) combining district zoning. Applicant: Ramon A. Canales. Agent: Jim Bennett. City Staff: Robert Heil, 974-2330.
This item was postponed to March 20, 2008 at the staff's request.
103. C14-2007-0237 - Old West Austin Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Old West Austin Neighborhood Planning Area, bounded by Enfield Road on the north, North Lamar Boulevard on the east, Lady Bird Lake on the south, and North MoPac Expressway on the west (Town Lake Watershed, Shoal Creek Watershed, Johnson Creek Watershed). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties within the Old West Austin Neighborhood Planning Area from the overlay district. Planning Commission Recommendation: To grant vertical mixed use building (V) district and to exclude certain tracts from the vertical mixed use

overlay district, and to review Tract 1 on March 11, 2008. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Melissa Laursen, 974-7226.

The first reading of the ordinance applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Old West Austin Neighborhood Planning Area was approved except for Tract 1 which was postponed to March 27, 2008 at the staff's request.

104. C14-2007-0258 - East MLK Combined Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the East MLK Combined Neighborhood Planning Area, bounded by Loyola Lane, Ed Bluestein Boulevard and Little Walnut Creek on the north, the former Missouri-Kansas right-of-way on the east, the Austin and Northwestern Railroad on the south, and Airport Boulevard, Anchor Lane and Manor Road on the west (East Boggy Creek, Tannehill Branch, Fort Branch, Walnut Creek, and Little Walnut Creek watersheds). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties within the East MLK Combined Neighborhood Planning Area from the overlay district. Planning Commission Recommendation: To exclude all tracts from the vertical mixed use overlay district. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Rhoades, 974-7719.

The first reading of the ordinance applying Vertical Mixed Use Building (V) zoning regulations to all properties and adopting a 60% MFI was approved.

105. C14-2007-0259 - Govalle-Johnston Terrace Combined Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Govalle-Johnston Terrace Combined Neighborhood Planning Area, bounded by the Austin and Northwestern Railroad on the north, U.S. 183 on the east, the Colorado River on the south, and Pleasant Valley Road and Webberville Road on the west (East Boggy Creek, Colorado River, Fort Branch and Tannehill Branch watersheds). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties within the Govalle-Johnston Terrace Combined Neighborhood Planning Area from the overlay district. Planning Commission Recommendation: To be reviewed on April 22, 2008. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Melissa Laursen, 974-7226.

This item was postponed to May 15, 2008 at staff's request.

106. C14-2007-0262 - Central Austin Combined Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Central Austin Combined Neighborhood Planning Area, bounded by 38th Street on the north, IH-35 on the east, Martin Luther King, Jr. Boulevard on the south, excluding the University of Texas at Austin campus, and Lamar Boulevard and 45th Street on the west (Shoal Creek, Waller Creek watersheds). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use

Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties within the Central Austin Combined Neighborhood Planning Area from the overlay district. Planning Commission Recommendation: To be reviewed on April 22, 2008. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Andrew Holubeck, 974-2054.

This item was postponed to May 15, 2008 at staff's request.

107. C14-2007-0263 - Hyde Park Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Hyde Park Neighborhood Planning Area, bounded by 51st Street to the north, Red River to 45th Street to Duval Street to the east; 38th Street to the south and Guadalupe Street to 47th Street and along Waller Creek to the south (Waller Creek watershed). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties within the Hyde Park Neighborhood Planning Area from the overlay district. Planning Commission Recommendation: To grant vertical mixed use building (V) district and to exclude certain tracts from the vertical mixed use overlay district. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Jorge Rousselin, 974-2975.
This item was postponed to March 6, 2008 at the Council's request.
108. C14-2008-0019-South Lamar Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-out process - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the South Lamar Neighborhood Planning Area, bounded by West Oltorf Street to the north, the Union Pacific Railroad to the east; West Ben White Boulevard to the south and South Lamar Boulevard to the west (West Bouldin Creek, Williamson Creek, Barton Creek - Barton Springs Zone watersheds). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties within the South Lamar Neighborhood Planning Area from the overlay district. Planning Commission Recommendation: To grant vertical mixed use building (V) district and to exclude certain tracts from the vertical mixed use overlay district. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Melissa Laursen, 974-7226.
This item was postponed to March 20, 2008 at the neighborhood's request.
110. C14H-2007-0017 - Dorothy Nichols Duplex - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1206 Lorrain Street (Shoal Creek Watershed) from multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning to multi-family residence-medium density-historic-neighborhood plan (MF-3-H-NP) combining district zoning. Staff recommendation: To grant multi-family residence-medium density-historic-neighborhood plan (MF-3-H-NP) combining district zoning. Historic Landmark Commission recommendation: To grant multi-family residence-medium density-historic-neighborhood plan (MF-3-H-NP) combining district zoning. Planning Commission recommendation: To grant multi-family residence-medium density-historic-neighborhood plan (MF-3-H-NP) combining district zoning. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, 974-6454.
This item was postponed to June 5, 2008 at the applicant's request.

111. C14H-2007-0015 - Harthan Street Local Historic District - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 600-610 Harthan Street and 1206 West 6th Street (Town Lake Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning; family residence-historic-neighborhood plan (SF-3-H-NP) combining district zoning; multi-family residence-moderate high density-historic-neighborhood plan (MF-4-H-NP) combining district zoning; and community commercial-mixed use-conditional overlay-neighborhood plan (GR-MU-CO-NP) combining district zoning. Staff Recommendation: To grant family residence-historic district-neighborhood plan (SF-3-HD-NP) combining district zoning; family residence-historic-historic district-neighborhood plan (SF-3-H-HD-NP) combining district zoning; multi-family residence-moderate high density-historic district-neighborhood plan (MF-4-HD-NP) combining district zoning; multi-family residence-moderate high density-historic-historic district-neighborhood plan (MF-4-H-HD-NP) combining district zoning; and general commercial services-mixed use-conditional overlay-historic district-neighborhood plan (CS-MU-CO-HD-NP) combining district zoning. Historic Landmark Commission Recommendation: To grant To grant family residence-historic district-neighborhood plan (SF-3-HD-NP) combining district zoning; family residence-historic-historic district-neighborhood plan (SF-3-H-HD-NP) combining district zoning; multi-family residence-moderate high density-historic district-neighborhood plan (MF-4-HD-NP) combining district zoning; multi-family residence-moderate high density-historic-historic district-neighborhood plan (MF-4-H-HD-NP) combining district zoning; and general commercial services-mixed use-conditional overlay-historic district-neighborhood plan (CS-MU-CO-HD-NP) combining district zoning. Zoning and Platting Commission Recommendation: To grant family residence-historic district-neighborhood plan (SF-3-HD-NP) combining district zoning; family residence-historic-historic district-neighborhood plan (SF-3-H-HD-NP) combining district zoning; multi-family residence-moderate high density-historic district-neighborhood plan (MF-4-HD-NP) combining district zoning; multi-family residence-moderate high density-historic-historic district-neighborhood plan (MF-4-H-HD-NP) combining district zoning; and general commercial services-mixed use-conditional overlay-historic district-neighborhood plan (CS-MU-CO-HD-NP) combining district zoning. Applicant and Agent: Terry Myers, Preservation Central. City Staff: Susan Villareal, 974-3524. A valid petition in opposition to this rezoning request has been submitted for a portion of this request.
- This item was postponed to March 6, 2008 at the owner's request.

ZONING DISCUSSION ITEMS

86. C14-2007-0084 - Elm Terrace - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3215 Exposition Boulevard (Taylor Slough North Watershed) from unzoned and family residence (SF-3) district zoning to townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning with conditions. First reading approved on November 29, 2007. Vote: 7-0. Applicant: Austin Elm Terrace, LP (Steve D. Buerlein). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Jorge E. Rousselin, 974-2975.
- The motion to approve the second reading of the ordinance for townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning with conditions was made by Mayor Pro Tem Dunkerley and seconded by Council Member Cole. The conditions were as follows: limit units to 20, with a CO limiting the structures on Exposition Boulevard to two stories, onsite water qualities and detention.

Council Member Kim offered a friendly amendment to prohibit a fence along Exposition Boulevard and limiting construction to two stories or 32 feet for the first 75 feet of the property from the property line along Exposition Boulevard. The Restrictive Covenant conditions includes units facing Exposition Boulevard will have doors oriented toward Exposition Boulevard; requirement for 25 feet vegetative buffer along the Exposition frontage along the property line on Exposition;

and require sidewalk articulation as per the McMansion ordinance for the façade of any building on the property. Mayor Pro Tem Dunkerley and Council Member Cole accepted all of the friendly amendments except the vegetative buffer and 75 feet setback.

The substitute motion to include a setback of 75 feet passed on Council Member Kim's motion on a 6-1 vote. Mayor Pro Tem Dunkerley voted nay.

The amended main motion approving the second reading of the ordinance was approved on Mayor Pro Tem Dunkerley's motion, Council Member Cole's second on a 7-0 vote. Staff was directed to include on third reading the prohibition of condominium use on Exposition frontage.

Mayor Wynn recessed the Council Meeting at 5:55 p.m.

LIVE MUSIC

Carolyn Wonderland

PROCLAMATIONS

Distinguished Service Award - Elaine Carroll - to be presented by Mayor Will Wynn and City Manager Marc Ott and to be accepted by the honoree

Certificates of Appreciation - Paul Carmona and Laurie Guthrie, Twenty-Six Two Marathon Club - to be presented by Mayor Will Wynn and Council Member Sheryl Cole and to be accepted by the honorees

Proclamation - St. James Missions Health and Fitness Day - to be presented by Council Member Sheryl Cole and to be accepted by Rev. Robert Clemons

Distinguished Service Award (In Memoriam) - Valentino Luna - to be presented by Council Member Mike Martinez and to be accepted by

Certificate of Congratulations – Roberto Martinez – to be presented by Council Member Mike Martinez and to be accepted by the honoree

Mayor Wynn called the Council Meeting back to order at 6:39 p.m.

ZONING DISCUSSION ITEMS CONTINUED

101. C14-2007-0202 - 501 E. Oltorf - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 501 E. Oltorf (Blunn Creek Watershed) from multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning to multi-family residence-highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning. Staff Recommendation: To grant multi-family residence-highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning. Planning Commission Recommendation: To grant multi-family residence-highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district zoning. Applicant: Sunnymede Properties, Ltd. (George Yonge). Agent: Drenner & Golden Stuart Wolff, L.L.P. (Michelle Rogerson). City Staff: Robert Levinski, 974-1384.

The public hearing was closed and the first reading of the ordinance to grant multi-family residence-highest density-conditional overlay-neighborhood plan (MF-6-CO-NP) combining district

zoning was approved with the following amendments on Council Member McCracken's motion, Council Member Kim's second on a 7-0 vote. The amendments were as follows: 1) Area of height exceeding 40-feet will be no more than 35% of the site; 2) The maximum height on the property shall be no more than 60 feet; 3) Construction of a detention pond to reduce flows to that of pre-developed conditions. Pre-developed conditions assume that the site has 0% impervious cover; 4) Maximum impervious coverage of the property shall be 65%; and 5) 2,000 trips per day limitation. Council directed staff to continue negotiations with the developer and neighborhood to get as much affordable housing as possible.

102. C14-2007-0222 - 3116 SoCo - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3116 South Congress (West Bouldin Creek Watershed) from general commercial services-neighborhood plan (CS-NP) combining district zoning and multi-family residence-moderate high density-neighborhood plan (MF-4-NP) combining district zoning to commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning; and neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning. Staff Recommendation: To grant commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning; and neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning; and neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning. Applicant and Agent: Rani Hai. City Staff: Robert Heil, 974-2330.

The public hearing was closed and the first reading of the ordinance for commercial-liquor sales-mixed use-conditional overlay-neighborhood plan (CS-1-MU-CO-NP) combining district zoning; and neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning was approved on Council Member McCracken's motion, Council Member Martinez' second on a 7-0 vote.

109. C14H-2007-0028 - Burch-Jackson House - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1706 Canterbury Street (Town Lake Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to family residence-historic-neighborhood plan (SF-3-H-NP) combining district zoning. Staff recommendation: To deny family residence-historic-neighborhood plan (SF-3-H-NP) combining district zoning. Historic Landmark Commission recommendation: To grant family residence-historic-neighborhood plan (SF-3-H-NP) combining district zoning. Planning Commission recommendation: To grant family residence-historic-neighborhood plan (SF-3-H-NP) combining district zoning. Applicant: Historic Landmark Commission. City Staff: Steve Sadowsky, 974-6454. A valid petition has been filed in opposition to this rezoning request.

The motion was to grant family residence-historic-neighborhood plan (SF-3-H-NP) combining district zoning failed on Council Member Kim's motion, Council Member Martinez' second on a 4-3 vote. Those voting aye were: Council Members Cole, Kim, Leffingwell and Martinez. Those voting nay were: Mayor Wynn, Mayor Pro Tem Dunkerley and Council Member McCracken. While this was a majority vote, there was a valid petition requiring an affirmation vote of 6.

BRIEFING

81. Presentation by the Charter Revision Committee on its recommendations on single-member districts; and, by Mr. J. Gerald Hebert regarding district election systems.
The presentation was made by Gus Garcia, Charter Revision Committee Chair, and J. Gerald Hebert, Attorney at Law and Consultant for the Committee.

The motion to waive the rules and allow Council to meet after 10 p.m. was approved on Mayor Pro Tem Dunkerley's motion, Council Member McCracken's second on a 7-0 vote.

DISCUSSION ITEM CONTINUED

60. Approve a resolution establishing criteria that must be met before Council considers a proposal to conduct a charter election on single member districts. (Council Member Sheryl Cole Council Member Brewster McCracken Mayor Pro Tem Betty Dunkerley)

There was a motion to deny the resolution that was made by Council Member Martinez and seconded by Council Member Leffingwell. There was substitute motion to close the public hearing on item number 115 and postpone action on the resolution on item number 60 to March 20, 2008 that was approved on Council Member Cole's motion, Council Member Kim's second on a 6-0 vote. Council Member Leffingwell abstained.

PUBLIC HEARINGS

115. Conduct a public hearing related to ordering an election in November 2008 to submit to the voters a proposed amendment to the City Charter relating to the number, selection, and term of office of the City Council members and Mayor.
See item 60 for a joint motion.

PUBLIC HEARINGS CONTINUED

113. Conduct a public hearing concerning Tract 9 of East 12th Street and 1425 East 12th Street and consider an ordinance amending the East 11th and 12th Streets Urban Renewal Plan, including changing the permitted uses, fencing requirements, variances and multi-level parking structure requirements. Recommended by the Urban Renewal Board and the Planning Commission.
The public hearing was closed and Ordinance No. 20080228-113 was approved with the following amendments on Council Member Martinez' motion, Council Member Kim's second on a 7-0 vote. The amendments were to prohibit service station and allow a cocktail lounge on the property at 1808-1812 E. 12th Street.

DISCUSSION ITEM CONTINUED

87. C14-06-0209 - 12th Street NCCD - City Initiated - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 809-1951 East 12th Street (Waller Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning; multi-family residence-medium density density-neighborhood plan (MF-3-NP) combining district zoning; multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning; neighborhood commercial-neighborhood plan (LR-NP) combining district zoning; community commercial-neighborhood plan (GR-NP) combining district zoning; community commercial-historic-neighborhood plan (GR-H-NP) combining district zoning; community commercial-mixed use-historic-neighborhood plan (GR-MU-H-NP) combining district zoning; general commercial services-neighborhood plan (CS-NP) combining district zoning; general commercial services-historic-neighborhood plan (CS-H-NP) combining district zoning; and family residence-neighborhood plan (SF-3-NP) combining district zoning to family residence-neighborhood conservation combining district-neighborhood plan (SF-3-NCCD-NP) combining district zoning; multi-family residence-medium density density-neighborhood conservation combining district-neighborhood plan (MF-3-NCCD-NP) combining district zoning; multi-family residence-moderate high density-

neighborhood conservation combining district-conditional overlay-neighborhood plan (MF-4-NCCD-CO-NP) combining district zoning; neighborhood commercial-neighborhood conservation combining district-neighborhood plan (LR-NCCD-NP) combining district zoning; community commercial-neighborhood conservation combining district neighborhood plan (GR-NCCD-NP) combining district zoning; community commercial-historic-neighborhood conservation combining district-neighborhood plan (GR-H-NCCD-NP) combining district zoning; community commercial-mixed use-historic-neighborhood conservation combining district-neighborhood plan (GR-MU-H-NCCD-NP) combining district zoning; general commercial services-mixed use-neighborhood conservation combining district-neighborhood plan (GR-MU-NCCD-NP) combining district zoning; general commercial services-historic-mixed use-neighborhood conservation combining district-neighborhood plan (CS-H-MU-NCCD-NP) combining district zoning; and family residence-neighborhood conservation combining district-neighborhood plan (SF-3-NCCD-NP) combining district zoning. First reading approved on January 17, 2008. Vote: 7-0. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330. **Ordinance No. 20080228-087 was approved as follows, with an amendment, on Council Member Cole's motion, Council Member McCracken's second on a 7-0 vote. 809-1951 East 12th Street was rezoned to family residence-neighborhood conservation combining district-neighborhood plan (SF-3-NCCD-NP) combining district zoning; multi-family residence-medium density- neighborhood conservation combining district-neighborhood plan (MF-3-NCCD-NP) combining district zoning; multi-family residence-moderate high density-neighborhood conservation combining district-neighborhood plan (MF-4-NCCD-CD-NP) combining district zoning; neighborhood commercial-neighborhood conservation combining district-neighborhood plan (LR-NCCD-NP) combining district zoning; community commercial-neighborhood conservation combining district neighborhood plan (GR-NCCD-NP) combining district zoning; community commercial-mixed use neighborhood conservation combining district-neighborhood plan (GR-MU-NCCD-NP) combining district zoning; community commercial-mixed use-historic-neighborhood conservation combining district-neighborhood plan (GR-MU-H-NCCD-NP) combining district zoning; general commercial services-mixed use-neighborhood conservation combining district-neighborhood plan (CS-MU-NCCD-NP) combining district zoning; general commercial services-historic-mixed use-neighborhood conservation combining district-neighborhood plan (CS-H-MU-NCCD-NP) combining district zoning; general commercial services-historic-neighborhood conservation combining district-neighborhood plan (CS-H-NCCD-NP) combining district; and general commercial services-mixed use-conditional overlay-neighborhood conservation combining district-neighborhood plan (CS-MU-CO-NCCD-NP) combining district; zoning with the following amendment on The amendment was that cocktail lounge would be a conditional use for the property at 1808-1812 E. 12th Street. 1806-1812 East 12th Street, 1208 Chicon Street (known as Tract 9) & 1425 E 12th Street were rezoned to community commercial mixed use-neighborhood conservation combining district-neighborhood plan (GR-MU-NCCD-NP) combining district zoning; general commercial services -mixed use-neighborhood conservation combining district-neighborhood plan (CS-MU-NCCD-NP) combining district zoning; and commercial liquor sales -mixed use-neighborhood conservation combining district-neighborhood plan (CS-1-MU-NCCD-NP) combining district zoning.**

114. Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning properties locally known as 1806-1812 East 12th Street, 1208 Chicon Street (known as Tract 9) & 1425 E 12th Street (Waller Creek Watershed) from community commercial -neighborhood plan (GR-NP) combining district zoning; general commercial services-neighborhood plan (CS-NP) combining

district zoning; and commercial liquor sales-neighborhood plan (CS-1-NP) combining district zoning to general commercial services-mixed use-neighborhood conservation combining district-neighborhood plan (GR-MU-NCCD-NP) combining district zoning; general commercial services-mixed use-neighborhood conservation combining district-neighborhood plan (CS-MU-NCCD-NP) combining district zoning; and commercial liquor sales -mixed use-neighborhood conservation combining district-neighborhood plan (CS-1-MU-NCCD-NP) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-neighborhood conservation combining district-neighborhood plan (GR-MU-NCCD-NP) combining district zoning;and general commercial services-mixed use-neighborhood conservation combining district-neighborhood plan (CS-MU-NCCD-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-neighborhood conservation combining district-neighborhood plan (GR-MU-NCCD-NP) combining district zoning; general commercial services -mixed use-neighborhood conservation combining district-neighborhood plan (CS-MU-NCCD-NP) combining district zoning; and commercial liquor sales -mixed use-neighborhood conservation combining district-neighborhood plan (CS-1-MU-NCCD-NP) combining district zoning. Case number C14-06-0209. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Robert Heil, 974-2330.

Items 114 and 87 were combined into one ordinance. See number 87 above.

DISCUSSION ITEMS CONTINUED

61. Approve an ordinance waiving development fees for the E. 12th NCCD. (Council Member Sheryl Cole Mayor Pro Tem Betty Dunkerley and Mayor Will Wynn)
Ordinance No. 20080228-061 was approved on Council Member Martinez' motion, Council Member Cole's second on 7-0 vote.

PUBLIC HEARINGS CONTINUED

112. Conduct a public hearing for the full purpose annexation of the Kitchell Tract (Approximately 3 acres in eastern Travis County at the southwest corner of the intersection of US Highway 290 East and Decker Lane).
The public hearing was closed on Council Member Martinez' motion, Mayor Pro Tem Dunkerley's second on a 7-0 vote.
116. Conduct a public hearing and consider an ordinance amending Sections 25-8-92 and 30-5-92 of the City Code relating to Critical Water Quality Zones along the shorelines of the Colorado River downstream of Town Lake. The Environmental Board, the Planning Commission Codes & Ordinances subcommittee and the Planning Commission support the proposal.
The public hearing was closed and Ordinance No. 20080228-116 was approved on Council Member Martinez' motion, Council Member McCracken's second on a 7-0 vote.
117. Conduct a public hearing and consider a resolution regarding a request by Scott Talkington, the owner of property located at 5111 Airport Boulevard, for a waiver from the distance requirement of City Code, Section 4-9-4(A) which requires a minimum of 300 feet between a business that sells alcoholic beverages and a public school.
The public hearing was closed and Resolution No. 20080228-117 was approved on Council Member Leffingwell's motion, Mayor Pro Tem Dunkerley's second on a 7-0 vote.

DISCUSSION ITEMS CONTINUED

27. Authorize the use of the Construction Manager at Risk method of contracting for facility construction for the new Central Library Project as permitted by Subchapter H of Chapter 271 of the Texas Local Government Code. Recommended by the MBE/WBE and Small Business Advisory Committee.
This item was postponed to March 6, 2008 on Council Member Martinez' motion, Council Member Leffingwell's second on a 7-0 vote.

PUBLIC HEARINGS CONTINUED

118. Conduct a public hearing and consider adopting an ordinance granting a limited adjustment from City Code Chapter 25-8 Subchapter A Article 12 (Save Our Springs Initiative) to the Encino Trace development located at 5707 Southwest Parkway to allow an access drive and utility lines to cross the Critical Water Quality Zone and the Water Quality Transition Zone (This limited adjustment concerns development in the Barton Springs Zone).
The public hearing was closed and Ordinance No. 20080228-118 was approved on Mayor Pro Tem Dunkerley's motion, Mayor Wynn's second on a 7-0 vote.

Mayor Wynn adjourned the meeting at 1:07 a.m. without objection.

The minutes for the Regular Meeting of February 28, 2008 were approved on this the 6th day of March 2008 on Council Member Cole's motion, Council Member Martinez' second on a 7-0 vote.

The minutes for the regular meeting of February 28, 2008 were amended and approved on March 20, 2008 on Council Member Martinez' motion, Council Member Cole's second on a 7-0 vote. See Item 95